

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION THIS DOCUMENT RELATES TO: WAVE 2 CASES LISTED IN EXHIBIT A TO DEFENDANTS' MOTION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
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**MOTION TO EXCLUDE GENERAL-CAUSATION TESTIMONY OF
NATHAN W. GOODYEAR, M.D.**

Defendants Ethicon, Inc. and Johnson & Johnson (Ethicon) move to exclude certain general-causation testimony of Nathan W. Goodyear, M.D. Dr. Goodyear is not qualified to offer certain general-causation testimony, and some of his proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), and as expressed by this Court in prior rulings. Ethicon incorporates its Memorandum in Support of Motion to Exclude General-Causation Testimony of Nathan W. Goodyear, M.D., and also the following exhibits:

1. The list of Wave 2 cases to which this motion applies, identified by case style and number, attached as Exhibit A;
2. Rule 26 Expert Report of Nathan W. Goodyear, M.D. submitted in *Morrow v. Ethicon, Inc.*, No. 2:12-cv-00378, attached as Exhibit B;
3. The deposition of Nathan W. Goodyear, M.D. taken March 4, 2016 in *Morrow v. Ethicon, Inc.*, No. 2:12-cv-00378, attached as Exhibit C;

4. The deposition of Nathan W. Goodyear, M.D. taken March 3, 2016 in *Shively v. Ethicon, Inc.*, No. 2:12-cv-00379, attached as Exhibit D;
5. The deposition of Nathan W. Goodyear, M.D. taken March 3, 2016 in *Taylor v. Ethicon, Inc.*, No. 2:12-cv-00376, attached as Exhibit E;
6. A Clinical Study Report titled *Evaluation of the TVM technique for treatment of genital prolapse*, which was Exhibit 40 to the deposition of Nathan W. Goodyear, M.D. taken March 3, 2016 in *Taylor v. Ethicon, Inc.*, No. 2:12-cv-00376, attached here as Exhibit F; and
7. *Gynecare Prolift Surgeon's Resource Monograph*, which was Exhibit 17 to the deposition of Nathan W. Goodyear, M.D. taken March 3, 2016 in *Shively v. Ethicon, Inc.*, No. 2:12-cv-00379, attached here as Exhibit G.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the General-Causation Testimony of Nathan W. Goodyear, M.D.

Respectfully submitted,

ETHICON, INC. AND
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CERTIFICATE OF SERVICE

I certify that on July 21, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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